

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	Criminal No. 1:01-CR-00173
v.	:	
	:	Judge Sylvia H. Rambo
DION CARRIER	:	
	:	(Electronically Filed)

DEFENDANT'S MOTION TO CONTINUE TRIAL

AND NOW comes the petitioner, Dion Carrier, by his attorney, Thomas A. Thornton of the Federal Public Defender's Office, and files this Motion to Continue Trial and in support thereof, the following is averred:

1. By indictment filed on May 16, 2006, defendant, Dion Carrier was charged with five counts of intent to distribute five grams or more cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).
2. On March 29, 2006, Dion Carrier appeared before Magistrate Judge J. Andrew Smyser for his initial appearance and pled not guilty to the indictment.
3. On same date, the Federal Public Defender's Office was appointed to represent Mr. Carrier.

4. Trial in this matter has been scheduled for February 5, 2007.
5. The government has indicated that it may shortly offer Mr. Carrier a final plea negotiation.
6. Mr. Carrier is being held at Lackawanna County Prison and counsel will not be able to go over the agreement with Mr. Carrier before the required date for continuance motions.
7. The government concurs with the granting of this motion.

WHEREFORE, counsel for Dion Carrier respectfully requests that This Honorable Court grant the Federal Public Defender's Motion to Continue Jury Selection for one month.

Respectfully submitted,

Date: January 19, 2007

/s/ **Thomas A. Thornton**
THOMAS A. THORNTON, ESQUIRE
ASSISTANT FEDERAL PUBLIC DEFENDER
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Attorney for Dion Carrier

CERTIFICATE OF SERVICE

I, Thomas A. Thornton of the Federal Public Defender's Office, do hereby certify that on this date I served a copy of the **DEFENDANT'S MOTION TO CONTINUE TRIAL**, via Electronic Case Filing, or by placing the same in the United States mail, first class in Harrisburg, Pennsylvania, addressed to the following:

WILLIAM A. BEHE, ESQUIRE

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DION CARRIER

[REDACTED]
[REDACTED]
[REDACTED]

Date: January 19, 2007

/s/ Thomas A. Thornton

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